



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, August 16, 2021
6:30 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:
<https://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.htm>

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing, and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. It is the Town Council's hope that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

Attachments for items on this meeting agenda are available to the public on the Town website at:
<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2021-meetings-minutes/2021-meetings/-fsiteid-1>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

A) Approval of Minutes; review, discussion and/or action and/or vote
1) July 19, 2021 (regular meeting)

B) Open Forum – Water & Sewer Matters

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

1) Scheduled request to address - none
2) Non-scheduled request to address

- C) Report of Town Officials:
 - 1) Pumping Report
 - 2) Town Project Reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility
 - 3) Public Works Director Michael C. Gray Sewer Division Report: Inspection of Westwind Drive
 - 4) Finance Director's Report: Comparison of Budget to Actuals as of June 30, 2021

- D) Unfinished Business
 - 1) Review, Discussion and/or Action and/or Vote regarding the Application of Our Table, LLC/Marla Romash (applicant) and Gino DiFante (owner) of 53 Narragansett Avenue, Plat 9 Lot 207 (a portion of the first floor), for Utility Service Expansion/Change of Use, continued from July 16, 2021.
 - a) Memorandum from Planning Commission to Zoning Board of Review

- E) New Business
 - 1) Review, Discussion and/or Action and/or Vote to adopt the Proposed FY 2021-2022 (October 1, 2021 to September 30, 2022) Water Budget
 - 2) Review, Discussion and/or Action and/or Vote to adopt the Proposed FY 2021-2022 (October 1, 2021 to September 30, 2022) Sewer Budget

- F) The Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board

Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended.

 - 1) Review, Discussion and/or Action and/or Vote for Renewal of Approval of Requests for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas valid with Special Event Application of the Chamber of Commerce for Dine Out Event in response to COVID- 19; with proposed Extension to September 21, 2021 unless revoked earlier:

- a) KALI LLC dba: J22 Tap & Table, 22 Narragansett Ave.
 - b) Jamestown Beer Holdings LLC dba: The Generals Crossing, 34 Narragansett Avenue
 - c) Jamestown Locals LLC dba: Narragansett Café, 25 Narragansett Avenue
 - d) Johnny Angels Clam Shack LLC dba: Angels Kitchen, 23B Narragansett Avenue
- 2) Review, Discussion and/or Action and/or Vote for Renewal of Approval of KALI LLC dba: J22 Tap & Table for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas to include property contingent on lease agreement with REGNUM LLC, located at 20 Narragansett Avenue; with proposed Extension to September 21, 2021 unless revoked earlier.
- 3) Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956, and as amended, that the following license application has been received under said Act for a one-day license September 9, 2021:

CLASS F (NON-PROFIT)

Jamestown Chamber of Commerce
PO Box 35
Jamestown, RI 02835

- a) Review, Discussion and/or Action and/or Vote for Approval of the **CLASS F (NON-PROFIT) LIQUOR LICENSE**
- B) Event/Entertainment Application: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Jamestown Chamber of Commerce
Event: Annual BBQ
Date: September 9, 2021
Location: Dutch Harbor Marina
- C) Bingo License Application: All bingo license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Friends of the Jamestown Seniors, Inc.
Event: Weekly Bingo Games
Date: September 1, 2021 to August 31, 2022
Location: 6 West Street, Jamestown (Senior Center)

V. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

Please Note the Following Items are Status Reports and Matters of Interest to the

Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator's Report: Jamie A. Hainsworth
 - 1) Broad Band Services to the Island, New Business Agenda Discussion
 - 2) Cyber Technology Security, discussion on Assessment, New Business on Agenda
 - 3) Short Term Rental Ordinance
 - 4) Covid 19 update: Covid Testing
 - 5) Draft letter to Jamestown Housing Authority in response to USHUD letter
 - 6) Update for next month

VI. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote regarding the Entertainment License for Tallulah's Taqueria LLC, dba: Tallulah's Taqueria located at 35 Narragansett Avenue, as approved at the July 19, 2021 Town Council Meeting and continued for review
- B) Review, Discussion and/or Action and/or Vote regarding the Entertainment License for Nine Corporation, dba: Marina Café located at 3 East Ferry Wharf, as approved at the July 19, 2021 Town Council Meeting and continued for review
- C) Review, Discussion and/or Action and/or Vote regarding the Code of Ethics Review by the Town Solicitor's Office for all Town Boards/Commissions/Committees: Session dates are September 9, 2021 at 12 noon, and September 23, 2021 at 7:00 pm via Zoom link (1-hour sessions)
- D) Review, Discussion and/or Action and/or Vote regarding Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Regular Meeting – Tuesday, September 7, 2021 @ 6:30 p.m.
 - 2) Town Council/Water and Sewer Regular Meeting – Monday, September 20, 2021 @ 6:30 p.m.
 - 3) Town Council Regular Meeting – Monday, October 4, 2021 @ 6:30 p.m.
 - 4) Town Council/Water and Sewer Regular Meeting – Monday, October 20, 2021 @ 6:30 p.m.

VII. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote regarding the request of the Gould Island Advisory Board for the formation of an ad hoc Gould Island Committee consisting of five (5) to six (6) residents to promote remediation of South Gould Island beyond the scope of the current USACE authorization from Congress
 - 1) Letter of Gould Island Restoration Advisory Board Community Co-Chair David Sommers

- B) Review, Discussion and/or Action and/or Vote to authorize a Cyber Security Assessment
- C) Review, Discussion and/or Action and/or Vote to consider a publicly operated Broad Band Utility to all residents.
- D) Review, Discussion and/or Action and/or Vote regarding the July 26, 2021 letter from the US Department of Housing and Urban Development (HUD) Office of Public Housing with concerns regarding outstanding issues
 - 1) Letter from US Department of Housing and Urban Development dated July 26, 2021 to Jamestown Housing Authority, Board of Commissioners.
 - 2) Letter from US Department of Housing and Urban Development dated October 3, 2019 to Jamestown Housing Authority Executive Director
 - 3) Draft letter to Jamestown Housing Authority in response to USHUD letter
- E) Review, Discussion and/or Action and/or Vote regarding the Jamestown Arts Center request to partner with the Town of Jamestown on the *Outdoor Arts Experience Biennial 2022*, outdoor art exhibit.
 - 1) Letter of Jamestown Arts Center
- F) Review, Discussion and/or Action and/or Vote regarding the request by Andrea Colognese and Doriana Carella for permission to build an outdoor Pizza Oven at the Fort Getty Pavilion
 - 1) Project scope and overview prepared by Council Vice President Meagher

VIII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Appointments, Vacancies and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
 - 1) Jamestown Affordable Housing Committee (One [1] Member vacancy with a three-year term ending date of May 31, 2023)
 - a) No applicants
 - 2) Jamestown Fire Department Compensation Committee (Two [2] Citizen-at-Large Representatives with an unexpired term ending date of May 31, 2023 and an unexpired term ending May 31, 2024)
 - a) No applicants
 - 3) Jamestown Housing Authority (Two [2] Commissioner vacancies with an unexpired five-year term ending date of December 31, 2024 and an unexpired five-year term ending date of December 31, 2025)
 - a) No applicants
 - 4) Jamestown Juvenile Hearing Board (One [1] Alternate vacancy with a two-year term ending date of December 31, 2021)
 - a) No applicants

- 5) Jamestown Philomenian Library Board of Trustees
 - a) Letter of Resignation
 - i) Edward Gromada
- 6) Jamestown Zoning Board of Review
 - a) Letter of Resignation
 - i) Edward Gromada

IX. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) July 19, 2021 (Regular/Water and Sewer Meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Affordable Housing Committee (May 15, 2019)
 - 2) Conservation Commission (January 15, 2019)
 - 3) Conservation Commission (February 9, 2019)
 - 4) Conservation Commission (April 2, 2019)
 - 5) Conservation Commission (May 14, 2019)
 - 6) Conservation Commission (June 11, 2019)
 - 7) Conservation Commission (July 9, 2019)
 - 8) Conservation Commission (September 10, 2019)
 - 9) Conservation Commission (November 12, 2019)
 - 10) Conservation Commission (December 10, 2019)
 - 11) Conservation Commission (January 12, 2021)
 - 12) Conservation Commission (February 9, 2021)
 - 13) Conservation Commission (March 9, 2021)
 - 14) Conservation Commission (April 13, 2021)
 - 15) Conservation Commission (May 11, 2021)
 - 16) Tree Preservation and Protection Committee (February 20, 2018)
 - 17) Tree Preservation and Protection Committee (March 20, 2018)
 - 18) Tree Preservation and Protection Committee April 17, 2018)
 - 19) Tree Preservation and Protection Committee (August 21, 2018)
 - 20) Tree Preservation and Protection Committee (September 18, 2018)
 - 21) Tree Preservation and Protection Committee (December 04, 2018)
 - 22) Tree Preservation and Protection Committee (January 22, 2019)
 - 23) Tree Preservation and Protection Committee (February 19, 2019)
 - 24) Tree Preservation and Protection Committee March 19, 2019)
 - 25) Tree Preservation and Protection Committee (April 15, 2019)
 - 26) Tree Preservation and Protection Committee (May 21, 2019)
 - 27) Tree Preservation and Protection Committee (June 18, 2019)
 - 28) Tree Preservation and Protection Committee (July 16, 2019)
 - 29) Tree Preservation and Protection Committee (September 17, 2019)
 - 30) Tree Preservation and Protection Committee (November 19, 2019)
 - 31) Tree Preservation and Protection Committee (December 17, 2019)

- 32) Tree Preservation and Protection Committee (January 20, 2021)
- 33) Zoning Board of Review (June 22, 2021)

C) Zoning Board of Review Abutter Notification- public hearing August 24, 2021 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 pm, application of Our Table LLC and Gino Difante, for the property located at 53 Narragansett Avenue, Plat 9, Lot 207, for a Special Use permit under Art. 6, Sec. 82-301 VI C.3, to use the premises as a lunch room or restaurant

D) Tax Assessor’s Abatements and Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2020 TAX ROLL

04-063-75M Disney, Kate	Motor Vehicle- soldier / sailor exempt	\$10.09
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TOTAL ABATEMENTS	\$ 10.09
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E) Finance Director’s Report: Comparison of Budget to Actuals as of June 30, 2021

X. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

A) Communications Received:

- 1) Copy of Letter to: Public Works Director and Town Council
From: David R. Emond, All Waste Control Trash Co.
Dated: July 15, 2021
Re: trash compactor mechanical failure
- 2) Copy of Letter to: Town Council
From: Charlotte Zarlengo
Dated: July 16, 2021
Re: Regarding her property located on Seaside Drive (Plat 16 Lot 245) adjacent to Heads Beach with eight (8) boats and at least three (3) other moorings directly in front of her waterfront property, as she feels her riparian rights have been violated
- 3) Copy of letter to: Town Council
From: Richard A. and Mara V. Boren
Dated: July 22, 2021
Re: Damage to underground sprinkler piping and rotor during digging and repaving work on Intrepid Lane by Public Works/Cardi Corporation
- 4) Copy of Letter to: Town Council
From: Stephen Murphy
Dated: August 2, 2021

Re: Request for Council approval to credit his tax account \$88.30 assessed for an error that was not his doing

XI. OPEN FORUM

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- A) Scheduled request to address - none
- B) Non-scheduled request to address

XII. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

ALL NOTE: If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to kmontoya@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on August 12, 2021